

# HOUSE BILL REPORT

## E2SHB 2785

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### As Passed House:

February 9, 2006

**Title:** An act relating to authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement.

**Brief Description:** Authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement.

**Sponsors:** By House Committee on Appropriations (originally sponsored by Representatives Quall, Tom, P. Sullivan, Hunter, Morrell, Nixon, Rodne, Roberts, Schual-Berke, Simpson, Springer, Sells, Lantz, Linville, Dunshee and Kagi; by request of Superintendent of Public Instruction).

### Brief History:

#### Committee Activity:

Education: 1/26/06, 2/2/06 [DPS];

Appropriations: 2/4/06 [DP2S(w/o sub ED)].

#### Floor Activity:

Passed House: 2/9/06, 94-4.

### Brief Summary of Engrossed Second Substitute Bill

- Authorizes the Superintendent of Public Instruction to implement objective alternative assessment methods for students to demonstrate achievement of state academic standards.
- Establishes the primary alternative method as a comparison of a student's grades in applicable courses to the grades of a cohort of students who took the same courses but who passed the Washington Assessment of Student Learning (WASL).
- For students in small schools or in certain approved career and technical programs, authorizes implementation of a collection of evidence for use as an alternative assessment.
- Authorizes a student's score on the math portion of certain college entrance examinations to be used as an alternative assessment to the WASL for high school graduation.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Quall, Chair; P. Sullivan, Vice Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, McDermott, Priest, Santos, Shabro, Tom and Wallace.

**Staff:** Barbara McLain (786-7383).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 28 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Armstrong, Bailey, Buri, Chandler, Cody, Conway, Darneille, Dunshee, Grant, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, Miloscia, Pearson, Priest, Schual-Berke, P. Sullivan, Talcott and Walsh.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Alexander, Ranking Minority Member and Clements.

**Staff:** Ben Rarick (786-7349).

### **Background:**

#### Certificate of Academic Achievement.

Beginning with the graduating class of 2008, most students will be required to obtain a Certificate of Academic Achievement (CAA) to obtain a diploma. Students must meet the state standards in reading, writing, and mathematics on the high school Washington Assessment of Student Learning (WASL) to earn a CAA.

In 2004, the Legislature authorized the Superintendent of Public Instruction (SPI) to develop options for objective alternative assessments for high school students to demonstrate they meet the state academic standards instead of relying on the WASL for this purpose. To use an alternative, a student must take the WASL at least twice. The Legislature also authorized development of an appeals process.

#### Alternative Assessments.

During 2004 and 2005, the SPI contracted with Dr. David Conley and the Center for Educational Policy Research to conduct a comprehensive review of alternative assessments and appeals in other states, and later an in-depth feasibility study of four possible options. The SPI is recommending two alternative assessments: a comparison of students' grades and WASL scores and a collection of evidence based on student work samples. In addition, the SPI recommends creating separate appeals procedures for students with unusual circumstances. During the spring of 2006, the SPI is working with 20 high schools, skills

centers, and Educational Service Districts to field test the collection of evidence by defining and collecting work samples and developing scoring guidelines.

Students in the class of 2008 will take the high school WASL in the spring of 2006. If they do not attain proficiency the first time, their first retake opportunity will be in August of 2006. If they again do not meet the state standards, they could be eligible for an alternative assessment.

However, the Legislature must first formally approve implementation of an alternative assessment.

### **Summary of Engrossed Second Substitute Bill:**

Beginning in the 2006-07 school year, the SPI must implement three objective alternative assessment methods for students to demonstrate achievement of the state standards in content areas where they were not successful on the high school WASL. A student applying for an alternative assessment must meet the eligibility criteria under current law and other eligibility criteria established by the SPI, including 95 percent minimum attendance and participation in remediation.

The primary alternative assessment method is a comparison of the applicant's grades in applicable courses to the grades of a cohort of students in the same school who took the same courses, but who met or slightly exceeded the state standard on the high school WASL. If the applicant's grades are above the median grades of the comparison cohort, the applicant is deemed to have met the state standard. This method cannot be used if there are fewer than six students in the comparison cohort.

The SPI is also directed to develop an alternative assessment method that is an evaluation of a collection of work samples or collection of evidence. The SPI develops guidelines for the type and number of work samples, which can be collected from academic, career and technical, or remedial courses and can include performance tasks as well as written products. Uniform scoring criteria must be developed, and the collections must be scored at the state or regional level using a panel of trained educators.

The collection of work samples can be implemented as an alternative assessment for applicants with fewer than six students in their comparison cohort, or for students in an approved career and technical program. The collection can be implemented for other students only if formally approved by the Legislature through the appropriations act, statute, or concurrent resolution.

For students in an SPI-approved career and technical program, the collection of work samples must be relevant to the particular program; focus on the application of academic knowledge within the program; include activities or projects that demonstrate academic knowledge; and represent the knowledge and skills that individuals in that field are expected to possess. An approved program is one that leads to a recognized certificate or credential and requires a sequenced progression of intensive and rigorous courses. The applicant must also attain the

certificate associated with the program in order to meet the standard on the alternative assessment.

A student's score on the mathematics portion of the Preliminary Scholastic Assessment Test, Scholastic Assessment Test, or American College Test can be used as an alternative assessment for demonstrating that the student has met the mathematics standards to earn a CAA for high school graduation. The State Board of Education (SBE) identifies the scores students must achieve on these tests to meet the state standard for mathematics.

The SBE must submit the proposed scores to the Legislature for formal approval, with the first scores submitted by December 1, 2006. School districts reimburse students for testing costs if they take the tests in order to use them as an alternative assessment; however this provision is null and void without funding in the budget.

By June 1, 2006, the SPI must implement a process for students to appeal their WASL scores. By January 1, 2007, the SPI must also implement guidelines and appeals processes for waiving CAA requirements for students who transfer to a public school in their junior or senior year or who have special unavoidable circumstances.

By September 2006, the SPI must report in detail to the Education Committees of the Legislature on the results of the pilot testing of the alternative assessments, proposed guidelines and protocols, training provided for school districts and teachers, and an updated estimate of the likely number of eligible students.

**Appropriation:** None.

**Fiscal Note:** Requested on February 2, 2006.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, Section 5, relating to reimbursement to students for taking the PSAT, SAT, or ACT as an alternative to the math WASL, is null and void unless funded in the budget.

**Testimony For:** (Education) (Original bill) The creation of alternative methods is a key part of making the assessment process more accessible for students. The alternatives that are being developed represent the same standard measured with a different ruler. If approved for use, these alternatives can be ready for students in 2006-07 when they receive the results of the fall retake. We simply have to have alternatives for students. We must find ways to meet different learning styles. The WASL needs to be a part of the assessment system, but not the sole aspect.

(With concerns) Every student deserves an opportunity to meet standards without having to fail twice before accessing an alternative. There should be oversight and an opportunity to evaluate the results of the pilot tests before they are fully implemented. We need to have an alternative, but we just don't know enough at this stage. When the state mandated a student assessment to achieve school accountability, it overstepped its authority. Until funding inequities are addressed, the WASL cannot be used as a barrier to high school graduation. Do

not make the WASL a graduation requirement. The alternatives are being developed based on the WASL standards, not the full scope of the Essential Academic Learning Requirements.

**Testimony For:** (Appropriations) The SPI supports the alternative assessment legislation. She has some policy concerns but thinks they can be worked out. She supports the bill coming out of committee today so that it has a chance on the floor.

**Testimony Against:** (Education) We must shift away from high stakes testing and move to a system that incorporates weighted multiple measures. However, if no other action is taken, then we must support some form of alternative. The pilot tests have already raised real issues with additional workload, reliability, and validity.

**Testimony Against:** (Appropriations) None.

**Persons Testifying:** (Education) (In support) Representative Quall, prime sponsor; Terry Bergeson, Superintendent of Public Instruction; Bob Butts, Office of the Superintendent of Public Instruction; Gil Mendoza, Tacoma School District; Barbara Mertens, Washington Association of School Administrators; Connie Gerlitz, Washington State Parent Teacher Association; Nancy Atwood, American Electronics Association; and Rebecca Gronde.

(With concerns) Irene Stewart, Seattle School District; Nancy Vernon and Alton McDonald, National Action Network; Juanita Doyon, Parent Empowerment Network; Kim Howard, Washington State Parent-Teacher Association; Christie Perkins, Washington State Special Education Coalition; and Suzi Wright, Tulalip Tribes.

(Opposed) Gary King, Washington Education Association.

**Persons Testifying:** (Appropriations) Gary King, Washington Education Association; and Terry Bergeson, Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying:** (Education) None.

**Persons Signed In To Testify But Not Testifying:** (Appropriations) None.